

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a Washington
corporation,

Plaintiff,

v.

MOTOROLA, INC., MOTOROLA
MOBILITY, INC., and GENERAL
INSTRUMENT CORPORATION.,

Defendants.

CASE NO. C10-1823-JLR

ORDER DENYING MICROSOFT'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT
[PROPOSED]

**NOTE ON MOTION CALENDAR:
Friday, September 30, 2011**

This matter came before the Court on the Motion of Microsoft Corporation for Partial Summary Judgment against Motorola, Inc. (n/k/a Motorola Solutions, Inc.), Motorola Mobility, Inc., and General Instrument Corporation (collectively "Motorola").

The Court heard the oral argument of counsel and considered the following pleadings filed in support of and in opposition to the Motion:

1. Microsoft's Motion for Partial Summary Judgment;
2. Declaration of Christopher T. Wion in Support of Microsoft's Motion for Partial Summary Judgment and exhibits attached thereto;
3. Declaration of Roy Harlin in Support of Microsoft's Motion for Partial Summary Judgment;

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SUMMARY JUDGMENT
CASE NO. C10-1823-JLR

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4. Defendants' Opposition to Microsoft's Motion for Partial Summary Judgment;
5. Declaration of Kevin J. Post and exhibits 1-21 attached thereto;
6. Declaration of Richard J. Holleman and Exhibit A attached thereto;
7. Declaration of David J. Teece and Exhibit A attached thereto;
- 8.
- 9.
- 10.

Having considered the above pleadings and materials, the argument of counsel, and being otherwise fully advised,

IT IS ORDERED that Microsoft's Motion for Partial Summary Judgment is DENIED.

DATED this _____ day of _____, 2011.

THE HONORABLE JAMES L. ROBERT
UNITED STATES DISTRICT COURT JUDGE

Presented by:

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By /s/ Philip S. McCune

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15 ***Attorneys for Defendants Motorola, Inc., Motorola***
16 ***Mobility, Inc., and General Instrument Corp.***

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 23rd day of September, 2011.

/s/ Marcia A. Ripley
Marcia A. Ripley